

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

John E. Suggs, Jr,

Plaintiff,

vs.

Captain Jamie C. Turner, Sheriff's
Department and Det. Chris Christmas,
City Police,

Defendants.

C.A. No.: 9:07-03850-RBH

ORDER

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Bristow Marchant, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

No objections were filed to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir.

1983). By order dated December 12, 2007, the plaintiff was notified that he must notify the clerk in writing of any change of address and that, if he failed to meet the deadline for a filing, then his case could be dismissed. The plaintiff filed a notice of change of address on July 29, 2008 and September 5, 2008 and indicated that he was no longer incarcerated. He also filed a response in opposition to the motion for summary judgment. However, he has failed to file objections to the Report.

Therefore, after a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Marchant's Report and Recommendation and incorporates it herein. It is therefore

ORDERED that defendants' [docket entry # 73 and 76] motions for summary judgment are hereby **GRANTED**.

IT IS SO ORDERED.

s/ R Bryan Harwell
R. BRYAN HARWELL
United States District Judge

Florence, South Carolina
October 29, 2008